

M.A. No. 410/2021 in O.A. No. 675/2021
(Dr. Balaji M. Mirkute Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri J.S. Deshmukh, learned Advocate for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.B. Wagh, learned Advocate for respondent no. 5.

2. Learned Advocate Shri A.B. Shinde, filed VAKALATNAMA on behalf of respondent No. 4. Same is taken on record.

3. At the request of learned Presenting Officer for the respondent Nos. 1 to 3 and learned Advocate for respondent No. 4, time is granted for filing affidavit in reply in M.A.

4. S.O. to 05.05.2022. Interim relief granted earlier in M.A. to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 253 OF 2019
(Laxmikant M. Bhoskar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri R.N. Bharaswadkar, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 23.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 126 OF 2020
(Dr. Sushilkumar B. Kendre Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate holding for Shri S.V. Mundhe, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 07.06.2022.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

M.A. No. 199/2020 in O.A. St. No. 317/2020
(Shankuntala T. Suryawanshi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri A.N. Nagargoje / N.S. Kadam, learned Advocate for the applicant (**Absent**). Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that nobody is appearing on behalf of the applicant since last two dates i.e. on 17.02.2022 and 28.03.2022. In view of the same, it appears that the applicant is not interested in prosecuting the matter. Hence, the M.A. stands dismissed in default.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 558 OF 2021
(Prakash S. Aghav Patil Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Pleadings are complete. The present matter is pertaining to transfer. Hence, the O.A. is admitted and it be fixed for final hearing on 23.06.2022.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 520 OF 2020
(Mutazabaddin Abdul Wahed Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. The present matter has already been treated as part heard.
3. At the request of learned Presenting Officer, S.O. to 27.04.2022.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO. 543 OF 2021
(Sanjay G. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. The present matter is closed for orders.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 165 OF 2018
(Sainath B. Turakane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 711 OF 2018
(Sanjay N. Nade Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 24.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 761 OF 2018
(Shivaji D. Dadge Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri A.V. Patil (Indrale), learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondent Nos. 1 to 4. Shri S.B. Sontakke, learned Advocate for respondent No. 5, **absent**. None present on behalf of respondent Nos. 6 to 10, though duly served.

2. Learned Advocate for the applicant submits that there are certain corrections to be made in the amended portion in respect of Tahasildar, Udgir as Tahasildar, Chakur in the body of the Original Application and therefore he seeks leave of this Tribunal to correct the same.

3. Leave as prayed for by the applicant is granted. The applicant shall carry out the necessary amendment in the O.A. on or before the next date of hearing.

4. The present matter is to be treated as part heard.

5. S.O. to 04.05.2022.

MEMBER (J)

ORIGINAL APPLICATION NO. 862 OF 2018
(Kiran S. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant (**Leave Note**). Heard Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. In view of leave note filed by the learned Advocate for the applicant, S.O. to 24.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 88 OF 2019
(Kashinath G. Pawar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides S.O. to 24.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 206 OF 2019
(Amrute R. Paralikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri C.K. Shinde, learned Advocate for the applicant (**Absent**). Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 24.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 544 OF 2019
(Sandip S. Shejul Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Dr. C.S. Tembhornikar, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 09.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 731 OF 2019
(Bhalchandra H. Bangar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Ms. Preeti Wankhade, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 07.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 1092 OF 2019
(Dhanaji R. Marakwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri C.R. Thorat, learned Advocate for the applicant (**Absent**). Heard Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. As none present for the applicant, S.O. to 24.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO. 346 OF 2021
(Dilip P. Patil Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 06.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO. 347 OF 2021
(Suresh K. Bharati Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Smt. R.L. Jakhade, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 15.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 393 OF 2021
(Anjanabai M. Ingale and Anr. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. By consent of both the sides, S.O. to 27.06.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 737 OF 2021
(Arun S. Kapadane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Presenting Officer filed sur-rejoinder on behalf of respondent Nos. 1 and 2 to the rejoinder affidavit filed by the applicant. Same is taken on record and copy thereof has been served on the other side.

3. S.O. to 04.05.2022 for final hearing.

MEMBER (J)

KPB ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO. 370 OF 2019
(Yasmin Hashmi Vasim Hashmi Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant, Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 4 and 6.

2. Learned Advocate Shri M.S. Taur, for respondent No. 5 filed Vakalatnama and also filed affidavit in reply on behalf of respondent No. 5. Same is taken on record and copy thereof has been served on the other side.
3. The present matter has already been treated as part heard.
4. S.O. to 07.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.567 OF 2017
(Bebabai P. Koli (Sapkale) Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri Vinod P. Patil, learned Advocate for the applicant, is **absent**. Heard Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. In view of absence learned Advocate for the applicant, S.O. to 20.06.2022 for filing affidavit-in-rejoinder.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.568 OF 2019
(Dnyanoba K. Oval Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri D.T. Devane, learned Advocate for the applicant, is **absent**. Heard Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 & 2.

3. S.O. to 20.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.858 OF 2019
(Annarao L. Bhosale & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri S.B. Kakde, learned Advocate for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder filed on behalf of the applicants is taken on record and copy thereof has been served on the other side.

3. S.O. to 20.06.2022 for admission.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.908 OF 2019
(Shaikh Nisar Ahmed Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri S.P. Dhobale, learned Advocate holding for Shri Girish N. Kulkarni, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.

3. S.O. to 20.06.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO.158 OF 2020
(Jilani Kasim Mujavar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri B.R. Jaybhay, learned Advocate for the applicant, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 21.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.173 OF 2020
(Dr. Santosh S. Palve Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri V.M. Mane, learned Advocate for the applicant and Shri D.T. Devane, learned Advocate for the respondent No.4 are **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondent Nos.1 to 3.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of respondent Nos.1 to 3.

3. S.O. to 21.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.178 OF 2020
(Prashant E. Supekar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri Mahesh K. Bhosale, learned Advocate for the applicant, is **absent**. Heard Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 21.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO.197 OF 2020
(Vijay R. Suryawanshi Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.1 to 4. However, inspite of grant of opportunities, affidavit-in-reply is not filed on behalf of the respondent No.5.

3. In view of above, at the request of the learned P.O., last chance is granted to the respondent No.5 for filing affidavit-in-reply.

4. S.O. to 17.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.536 OF 2020
(Ravi U. Vanjari Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri G.J. Karne, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., one more last chance is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 07.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.563 OF 2020
(Rajendra V. Marale Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. Learned P.O. for the respondents submits that the respondent No.4 is adopting the affidavit-in-reply filed on behalf of the respondent Nos.1 to 3.

3. S.O. to 14.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO.35 OF 2021
(Shaikh Mohammad Noan Shaikh Aleem & Ors. Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri Mohit R. Deshmukh, learned Advocate for the applicants, is **absent**. Heard Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. In view of absence of learned Advocate for the applicant, S.O. to 17.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.52 OF 2021
(Dr. Rekha G. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri A.S. Mirajgaonkar, learned Advocate for the applicant, Shri B.S. Deokar, learned Presenting Officer for the respondent Nos.1 & 2 and Shri S.B. Solnake, learned Advocate for the respondent Nos.3 & 4. None present on behalf of the respondent No.5, though duly served.

2. At the request of learned P.O. for the respondent Nos.1 & 2 and learned Advocate for the respondent Nos.3 & 4, time is granted as a last chance for filing affidavit-in-reply.

3. S.O. to 14.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.68 OF 2021
(Sarjerao S. Jagdhane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.S. Sakhare, learned Advocate holding for Shri Vijay C. Suradkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent Nos.2 & 3.

3. Learned P.O. for the respondents submits that the respondent No.1 adopts the affidavit-in-reply filed on behalf of the respondent Nos.2 & 3.

4. S.O. to 17.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

ORIGINAL APPLICATION NO.131 OF 2021
(Vilas N. Shahane Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder.

3. S.O. to 15.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO.164 OF 2021
(Balu A. Chavan Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 04.05.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO.248 OF 2021
(Sunil S. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri Vithalrao G. Salgare, learned Advocate for the applicant and Shri S.B. Patil, learned Advocate for the respondent Nos.2 to 4, are **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondent Nos.1, 5 & 6.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondent Nos.1, 5 & 6.

3. S.O. to 16.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.369 OF 2021

(Naushadbee Ibrahim Shaikh Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate holding for Shri S.B. Choudhari, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
3. S.O. to 16.06.2022 for admission.

MEMBER (J)

ORIGINAL APPLICATION NO.406 OF 2021
(Sajed Mubasshiruddin Siddiqui Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder.

3. S.O. to 17.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.512 OF 2021
(Usha A. Gaikwad Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 and 3 to 6 is taken on record and copy thereof has been served on the other side.

3. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondent No.2.

4. Learned Advocate for the applicant also seeks time for filing affidavit-in-rejoinder to the affidavit-in-reply filed on behalf of the respondent Nos.1 and 3 to 6. Time is granted.

5. S.O. to 17.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.586 OF 2021
(Prakash I. Sarode Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri D.K. Dagadkhair, learned Advocate for the applicant and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 16.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.599 OF 2021
(Bhima D. Chavan & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Y.H. Jadhav, learned Advocate for the applicants.

Learned Advocate Shri S.P. Pandit filed VAKALATNAMA on behalf of the respondent Nos.1 to 5. The same is taken on record.

2. Learned Advocate for the respondent Nos.1 to 5 submits that during the course of the day he will file affidavit-in-reply on their behalf.

3. Record shows that the applicants were allowed to carry out amendment to the extent of correcting the date of representation mentioned in the prayer clause 'C' by order dated 28.02.2022. However, the applicants have not carried out the said amendment till date.

4. In view of above, the learned Advocate for the applicants seeks permission to carry out amendment forthwith. He is allowed to carry out the amendment.

5. S.O. to 20.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

**M.A.NO.85 OF 2021 IN O.A.ST.NO.348 OF 2021
(Shankar F. Pawar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant submits that the applicant does not wish to file affidavit-in-rejoinder.
3. S.O. to 22.06.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**M.A.NO.88 OF 2021 IN O.A.ST.NO.323 OF 2021
(Shrikant K. Bhale Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri R.A. Joshi, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of the learned Advocate for the applicant, time is granted for filing affidavit-in-rejoinder, if any.
3. S.O. to 24.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**M.A.NO.232 OF 2019 IN O.A.ST.NO.532 OF 2019
(A.R. Mhaske & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri S.G. Kulkarni, learned Advocate for the applicants, is **absent**. Heard Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. Affidavit-in-rejoinder is not filed on behalf of applicants inspite of grant of sufficient opportunities.
3. S.O. to 22.06.2022 for hearing.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.138 OF 2022
(Rajaram C. Sevalikar Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Saket Joshi, learned Advocate holding for Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri B.S. Deokar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 20.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.41 OF 2022
(Nagesh D. Harne & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 20.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.40 OF 2022
(Madhav B. Nilawad Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri S.B. Jadhav, learned Advocate for the applicants and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Affidavit-in-reply filed on behalf of the respondent Nos.1 & 2 is taken on record and copy thereof has been served on the other side.

3. S.O. to 17.06.2022 for filing affidavit-in-rejoinder, if any.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**ORIGINAL APPLICATION NO.805 OF 2021
(Mahadev S. Koli Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Onkar Gholap, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicants and Smt. Sanjivani K. Deshmukh-Ghate, learned Presenting Officer for the respondent Nos.1 to 5.

2. Nobody is present on behalf of the respondent No.6, though he is duly served and affidavit-in-reply is not filed on his behalf.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 5.

3. S.O. to 16.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.20 OF 2022
(Dnyaneshwar B. Sanap Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Shri S.D. Dhongde, learned Advocate for the applicant has filed **leave note**. Heard and Smt. M.S. Patni, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted as a last chance for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 16.06.2022.

MEMBER (J)

**ORIGINAL APPLICATION NO.619 OF 2021
(Rahul R. Wakle Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Smt. Suchita Dhongde, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. At the request of the learned C.P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 20.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.739 OF 2021
(Vilas M.Yadav & Ors.Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.740 OF 2021
(Indrakumar S. Auti Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO.741 OF 2021
(Rahul V. Manjare & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri S.B. Solanke, learned Advocate for the applicants in all these matters and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents in all these matters.

2. Record shows that the affidavit-in-reply is already filed on behalf of the respondent No.4 in all these matters.

3. Learned Advocate for the applicants submits that the copy of said reply is received by him.

4. Learned C.P.O. for the respondents submits that he would serve the copy of said reply.

5. Record further shows that last chance was granted for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.

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6. Today also learned C.P.O. seeks further time for filing affidavit-in-reply on behalf of the respondent Nos.1 to 3.

7. In view of above, one more last chance is granted to the respondent Nos.1 to 3 for filing affidavit-in-reply in all these matters.

8. S.O. to 20.06.2022.

MEMBER (J)

ORIGINAL APPLICATION NO.615 OF 2021
(Dr. Godavari M. Vaidya Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri V.G. Pingle, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of the learned P.O., time is granted for filing affidavit-in-reply on behalf of the respondents.

3. S.O. to 20.06.2022.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

ORIGINAL APPLICATION NO.605 OF 2021
(Vinod N. Choudhary Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Shri V.D. Dongre, Member (J)

DATE : 22.04.2022

ORAL ORDER :

Heard Shri Avinash D. Aghav, learned Advocate for the applicants and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. This Original Application is filed challenging the impugned order of suspension of the applicant dated 25.09.2021 (Annex. 'A-3') issued by the respondent No.3 i.e. the District Civil Surgeon, District Hospital, Ahmednagar. It is challenged on the ground that the same was not issued by the competent authority.

3. Learned P.O. for the respondents placed on record the communication dated 07.04.2022 along with office noting dated 05.04.2022 received from the respondent No.3. Thereby it is stated that the impugned order of suspension of the applicant is issued without authority and as such the impugned order of suspension is cancelled.

4. The said documents are taken on record at placed at page Nos.18 and 19 of Paper Book.

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O.A.605/2021

5. In view of same, the grievance raised by the applicant in the Original Application said to have been redressed. Therefore, the Original Application stands disposed of. No order as to cost.

MEMBER (J)

SAS ORAL ORDERS 22.04.2022

**M.A.ST.NO. 701/2022 IN O.A.ST.NO. 702/2022
(Maroti Kondba Sable & Ors. Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Heard Shri Narendra B. Patekar, learned counsel holding for Shri A.P. Avhad, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri A.G. Ambetkar, learned counsel for caveator.

2. This is an application preferred by the applicants seeking leave to sue jointly.

3. For the reasons stated in the application, and since the cause and the prayers are identical and since the applicants have prayed for same relief, and to avoid the multiplicity, leave to sue jointly granted, subject to payment of court fee stamps, if not paid.

4. Accompanying O.A. be registered and numbered, after removal of office objections, if any. The present M.A. stands disposed of accordingly without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 702 OF 2022
(Maroti Kondba Sable & Ors. Vs. State of Maha. & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri Narendra B. Patekar, learned counsel holding for Shri A.P. Avhad, learned counsel for the applicants, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent authorities and Shri A.G. Ambetkar, learned counsel for caveator.

2. Issue notice to respondents, returnable on 29.6.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 29.6.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**O.A.NO. 326/2012 WITH M.A.NO. 66/2019
(Madhav C. Padavi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 22.4.2022

ORAL ORDER :

Heard Shri F.R. Tandale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Learned counsel appearing for the applicant, on instructions of the applicant, who is present before this Tribunal today, seeks leave to withdraw the present O.A. stating that the departmental enquiry in regard to which the present O.A. was filed has been completed during the pendency of the present O.A. and the final order has also been passed by the disciplinary authority. In the circumstances, the O.A. has become infructuous. Learned counsel, in the circumstances seeks leave of this Tribunal to withdraw the present O.A. with liberty to challenge the order passed in the said departmental enquiry by the disciplinary and the appellate authority by filing a fresh comprehensive O.A. In the result the following order is passed:-

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**O.A.NO. 326/2012 WITH
M.A.NO. 66/2019**

ORDER

The O.A. stands disposed of since withdrawn with liberty as prayed for. Consequently, the M.A. No. 66/2019 also stands disposed of. No order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

**C.P.NO. 27/2019 IN O.A.NO. 260/2017
(Bhagwat D. Bedke Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 22.4.2022

ORAL ORDER :

Heard Shri A.G. Ambetkar, learned counsel holding for Shri R.P. Bhumkar, learned counsel for the petitioner, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3 and Smt. Ujjwal Agarwal, learned counsel for respondent No. 4.

2. When the present contempt petition is taken up for consideration it is noticed that in the O.A. there are no executable orders against the respondent No. 4. However, in the present contempt petition the said respondent has been made as a party. We have perused the present contempt petition also. There is nothing so as to make respondent No. 4 as a party. In the circumstances, the present contempt petition stands dismissed against the respondent No. 4.

3. S.O. to 27.6.2022.

MEMBER (A)

VICE CHAIRMAN

C.P.NO. 26/2021 IN O.A.NO. 834/2016
(Sandu Patilba Ukarde & Ors. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Heard Shri A.S. Bayas, learned counsel for the petitioners and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. When the present contempt petition is taken up for consideration, the learned counsel for the petitioners bringing to our notice the affidavit in reply filed on behalf of respondent No. 4 has submitted that the affidavit in reply so submitted is per se contemptuous and the officer concerned is required to be punished for willful disobedience of the order passed by this Tribunal.

3. We have perused the orders passed in O.A. Nos. 834/2016, 227/2012 & 758/2013 for the reason that the order passed in O.A. No. 834/2016 is based on the orders passed in the said OAs. It appears that the respondent No. 4 has adopted too technical approach. Learned Presenting Officer shall discuss the matter with the said respondent and bring to his notice the orders passed in O.A. Nos. 227/2012 & 758/2013, as well as, order passed by the Hon'ble High Court in W.P. No. 2800/2018.

4. It is further brought to our notice that to several similarly situated persons the back wages are paid on the strength of the notification dated 28.9.2010. If this be so, no different criteria can be applied for the petitioners in the present case, though in the orders it may not have been specifically mentioned as about the back wages. If the entire order is read in O.A. No. 834/2016 along with orders passed in O.A. Nos. 227/2012 & 758/2013, it can be gathered that the intention of the Tribunal is to direct the respondents to adhere to the notification dated 28.9.2010, which provides for the payment of the back wages also. Plain reading of the notification dated 28.9.2010 makes it clear that the pay scale prescribed in the said notification is to be made applicable from the date of the said notification.

5. In view of the observations made by us, we hope and trust that the necessary action will be taken by the respondents within a period of 8 weeks from the date of this order. In case the respondents fail to take necessary action on or before the next date, the petitioners shall be entitled for the interest @ 8% from the date of default.

6. S.O. to 8.7.2022.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 1027 OF 2019
(Arjun Dhudku Sonwane Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant, Shri N.U. Yadav, learned Presenting Officer for the respondent Nos. 1, 2, 4 & 5, are present. None appears for respondent No. 3.

2. Learned Presenting Officer submits that during the course of the day he will file affidavit in reply on behalf of respondent No. 2 and will furnish the copy of the same to the learned counsel for the applicant.

3. S.O. to 29.6.2022 for filing rejoinder affidavit, if any or else for hearing.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 809 OF 2021
(Dr. Imran Nizam Pathan Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Shri V.B. Wagh, learned counsel for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 to 3, are present. Shri Ashish B. Rajkar, learned counsel for respondent No. 4 has filed leave note.

2. Learned counsel for the applicant has tendered across the bar affidavit in rejoinder and the same is taken on record and the copy of the same has been served on the learned Presenting Officer.

3. List the matter for hearing on 28.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 724 OF 2019
(Kailas Irappa Khandagale & Anr. Vs. State of Maha. & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Shri S.G. Kulkarni, learned counsel holding for Shri Ajay Deshpande, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 17.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

ORIGINAL APPLICATION NO. 232 OF 2019
(Maruti T. Kamble & Ors. Vs. State of Maharashtra & Ors.)

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Shri Vivek G. Pingle, learned counsel for the applicants and Shri V.R. Bhumkar, learned Presenting Officer for the respondents, are present.

2. S.O. to 29.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

**ORIGINAL APPLICATION NO. 218 OF 2019
(Sharnappa V. Mannylikar Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Shri M.D. Godhamgaonkar, learned counsel for the applicant (**absent**). Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents, is present.

2. Since nobody appears for the applicant, S.O. to 29.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 670 OF 2018
(Kishan A. Falke & Ors. Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Shri A.D. Gadekar, learned counsel holding for Shri R.I. Wakade, learned counsel for the applicants and Shri B.S. Deokar, learned Presenting Officer for the respondents, are present.

2. At the request of learned counsel for the applicant, S.O. to 29.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

ORIGINAL APPLICATION NO. 67 OF 2018
(Dr. Mohd. Feroz Iqbal Vs. State of Maharashtra & Ors.)

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Shri K.G. Salunke, learned counsel for the applicant has filed leave note. Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents, is present.

2. In view of leave note filed by the learned counsel for the applicant, S.O. to 29.6.2022. Interim relief granted earlier to continue till then.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

**ORIGINAL APPLICATION NO. 48 OF 2018
(Sanjay Natha Nade Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri Vivek G. Pingle, learned counsel for the applicant and Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. When the present matter is taken up for consideration the learned counsel for the applicant has tendered across the bar office order dated 8.2.2022 passed by the respondent No. 4, whereby the technical breaks in service of the applicant have been condoned. Learned counsel has also placed on record another communication dated 19.4.2022, whereby the case of the applicant has been recommended for granting Assured Career Progression Scheme.

3. In view of the aforesaid documents learned counsel appearing for the applicant submits that object of filing O.A. has been accomplished and he has, therefore, prayed for disposing of the O.A.

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O.A. NO. 48/2018

4. In view of the above and as submitted by the learned counsel for the applicant the O.A. stands disposed of however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

**M.A.ST.NO. 792/2017 IN O.A.NO. 555/2015
(Madhav C. Padavi Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 22.4.2022

ORAL ORDER :

Shri F.R. Tandale, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents, are present.

2. The applicant has filed the present application subject matter of which being suspension pertains to Single Bench. He has also filed O.A. No. 326/2012 WITH M.A. No. 66/2019, which pertains to D.B. Both the cases were placed on today's board before us.

3. However, today O.A. No. 326/2012 WITH M.A. No. 66/2019 stood disposed of as withdrawn. Therefore, the present case be placed before the Single Bench, on 13.6.2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 240/2020 IN O.A.ST.NO. 570/2020
(Rajendra Ratilal Shah Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri R.H. Joshi, learned counsel for the applicant Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Learned counsel for the applicant submits that though the delay duly appears to be a long period since the benefit is sought from the earlier date, the right has accrued in favour of the applicant to claim the said relief in the year 2016 and thereafter in the year 2019. As such, according to the learned counsel delay if any that is of not very long period and in the circumstances the applicant be given an opportunity to prosecute his application on merits.

3. Learned Presenting Officer has submitted that the delay has not been properly explained and having regard to the inordinate delay the application may kindly be rejected.

4. We have gone through the contents of the application and relief claimed by the applicant. There is substance in the contention raised by the applicant that the cause of action for filing application can be said to have been

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**M.A. 240/20 IN
O.A.ST. 570/20**

accrued on issuance of the G.R. in the year 2016 and thereafter in the year 2019. The applicant has thereafter preferred representations, but they have not been considered by the respondent authorities. In the circumstances, without going into the merits of the application insofar as delay is concerned, we find that the just reasons are assigned and the applicant needs to be given an opportunity to prosecute his claim on merits. Hence, the following order: -

ORDER

The delay is condoned. The Original Application be registered in accordance with law. Accordingly, the M.A. stands disposed of however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 570 OF 2020
(Rajendra Ratilal Shah Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri R.H. Joshi, learned counsel for the applicant Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 30.6.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.6.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 241/2020 IN O.A.ST.NO. 569/2020
(Gangadhar R. Muley Vs. State of Maharashtra & Ors.)**

WITH

**M.A.NO. 257/2020 IN O.A.ST.NO. 1154/2020
(Yuvraj S. Kalshetty Vs. State of Maharashtra & Ors.)**

WITH

**M.A.NO. 258/2020 IN O.A.ST.NO. 1076/2020
(Suresh L. Ghule Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora, Vice Chairman
AND

Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri R.H. Joshi, learned counsel for the applicants and Smt. M.S. Patni & Smt. Deepali S. Deshpande, learned Presenting Officers for the respective respondents in respective matters.

2. In view of the fact that the relief sought in the O.As. are based on the G.R. issued in the year 2016, without going into the merit of the application we are inclined to allow the present applications, so that the applicants would get an opportunity to prosecute their applications on merits. Hence, the following order: -

ORDER

The delay is condoned. The Original Applications be registered in accordance with law. Accordingly, the M.As. stand disposed of however, without any order as to costs.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 569 OF 2020
(Gangadhar R. Muley Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri R.H. Joshi, learned counsel for the applicant
Smt. M.S. Patni, learned Presenting Officer for the
respondents.

2. Issue notice to respondents, returnable on 30.6.2022.
3. Tribunal may take the case for final disposal at once
and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on
respondent/s intimation/notice of date of hearing duly
authenticated by Registry, along with complete paper book of
the case. Respondents are put to notice that the case would
be taken up for final disposal at the stage of admission
hearing.
5. This intimation/notice is ordered under Rule 11 of the
Maharashtra Administrative Tribunal (Procedure) Rules,
1988, and the questions such as limitation and alternate
remedy are kept open.
6. The service may be done by hand delivery, speed post,
courier and acknowledgment be obtained and produced along
with affidavit of compliance in the Registry before due date.
Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.6.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 1154 OF 2020
(Yuvraj S. Kalshetty Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri R.H. Joshi, learned counsel for the applicant
Smt. Deepali S. Deshpande, learned Presenting Officer for the
respondents.

2. Issue notice to respondents, returnable on 30.6.2022.
3. Tribunal may take the case for final disposal at once
and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on
respondent/s intimation/notice of date of hearing duly
authenticated by Registry, along with complete paper book of
the case. Respondents are put to notice that the case would
be taken up for final disposal at the stage of admission
hearing.
5. This intimation/notice is ordered under Rule 11 of the
Maharashtra Administrative Tribunal (Procedure) Rules,
1988, and the questions such as limitation and alternate
remedy are kept open.
6. The service may be done by hand delivery, speed post,
courier and acknowledgment be obtained and produced along
with affidavit of compliance in the Registry before due date.
Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.6.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION ST.NO. 1076 OF 2020
(Suresh L. Ghule Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri R.H. Joshi, learned counsel for the applicant Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue notice to respondents, returnable on 30.6.2022.
3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 30.6.2022.
8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 21 OF 2022
(Ravita B. Rathod Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Re-issue notice to respondent Nos. 1 & 2 as requested by the learned counsel for the applicant, returnable on 30.6.2022.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 30.6.2022.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 85/2022 IN O.A.ST.NO. 1790/2021
(Anil Bhimrao Chavan Vs. State of Maharashtra & Ors.)**

CORAM : **Hon'ble Justice Shri P.R. Bora,**
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : **22.4.2022**

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Re-issue notice to respondents in delay condonation application as requested by the learned counsel for the applicant, returnable on 30.6.2022.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 30.6.2022.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 86/2022 IN O.A.ST.NO. 1792/2021
(Sanjay Patilba Tarte Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Heard Shri A.V. Thombre, learned counsel holding for Shri S.S. Thombre, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. Re-issue notice to respondents in delay condonation application as requested by the learned counsel for the applicant, returnable on 30.6.2022.

3. Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 30.6.2022.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (A)

VICE CHAIRMAN

**ORIGINAL APPLICATION NO. 938 OF 2019
(Maheboob Khan Moyhd. Yousufkhan Pathan Vs. State of
Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Shri Dilip Mutalik, learned counsel holding for Shri J.B. Choudhary, learned counsel for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

2. At the request of learned counsel for the applicant, S.O. to 28.6.2022.

MEMBER (A)

VICE CHAIRMAN

**M.A.NO. 53/2019 IN O.A.ST.NO. 185/2019
(Ashok Batu Amrutkar Vs. State of Maharashtra & Ors.)**

**CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)**

DATE : 22.4.2022

ORAL ORDER :

Smt. Suchita A. Dhongde, learned counsel for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1, 2 & 4 and Shri S.S. Chillarge, learned counsel for respondent No. 3, are present.

2. Learned counsel for respondent No. 3 has brought to our notice that the affidavits in reply are already filed. List the matter for hearing on 22.6.2022.

MEMBER (A)

VICE CHAIRMAN

ORAL ORDERS 20.4.2022-HDD

**ORIGINAL APPLICATION NO. 779 OF 2021
(Datta A. Tumram Vs. State of Maharashtra & Ors.)**

CORAM : Hon'ble Justice Shri P.R. Bora,
Vice Chairman
AND
Hon'ble Shri Bijay Kumar, Member (A)

DATE : 22.4.2022

ORAL ORDER :

Shri S.S. Joshi, learned counsel holding for J.P. Legal Associates, learned counsel for the applicant and Smt. M.S. Patni, learned Presenting for the respondents, are present.

2. Learned Presenting Officer has sought time for filing affidavit in reply. Time granted by way of last chance.

3. S.O. to 14.6.2022.

MEMBER (A)

VICE CHAIRMAN